

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 04-30007-MAP
)	
ANN MARIE CZAPLICKI,)	
Defendant.)	
)	

JOINT MOTION TO CLARIFY DEFENDANT'S MOTION FOR CONTINUANCE OF THE
STATUS CONFERENCE

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, and Judith Knight, Counsel for Defendant, respectfully move to clarify Defendant's Letter (dated June 21, 2004; filed June 23, 2004), seeking a two week continuance from June 24, 2004 to the week of July 12, 2004. While the government does not oppose the defendant's motion for a continuance, the defendant's request was neither caused by the late production of, nor the production of overly burdensome, discovery documents.

In support of this motion the government states that in addition to the timely automatic discovery the government provided on April 13, 2004, the government elected to provide the following documents to counsel for defendant on May 19, 2004:

1. Westfield Bank Customer Letters dated November 7, 2003 (detailing unauthorized transactions from the respective accounts)(fifty-six pages total);
2. Westfield Bank Customer Letters dated November 13, 2003

(nineteen total pages);

3. Westfield Bank Response Forms (correspond to the above listed "Customer Letters" (twelve pages);

4. Westfield Bank Spreadsheets for the gross and net amount of money the government is alleging the defendant embezzled, detailing the following:

- a. Account Number
- b. Account type
- c. Transaction amount
- d. Account Holder (owner)
- E. Teller Journal Offset
- f. Additional information category

Since the government has provided timely and complete discovery to this date, the request for a continuance should attach to the defendant. It follows that this Court should also exclude, in computing the time within which the trial of this matter shall commence, all time from June 24, 2004 until the date chosen for final status conference.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: S/S Paul Hart Smyth

Paul Hart Smyth
Assistant U.S. Attorney

S/S Judith Knight

Judith Knight, Esq.
Counsel for Defendant